

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

KEFENSTE K. CADE,

Plaintiff,

v.

ASHTON B. CARTER,

Defendant.

Case No. 2:15-cv-2684

JUDGE GREGORY L. FROST

Magistrate Judge Norah McCann King

ORDER

This matter is before the Court for consideration of the Magistrate Judge's August 4, 2015 Order and Report and Recommendation (ECF No. 3) and Plaintiff's response (ECF No. 4). In the Order and Report and Recommendation, the Magistrate Judge recommended that the Court should deny Plaintiff's motion for leave to proceed *in forma pauperis* and, after conducting an initial screen of Plaintiff's complaint, that the Court should dismiss Plaintiff's claims under 28 U.S.C. § 1915(e)(2)(B)(ii) because the complaint does not state any claims upon which this Court can grant relief. (ECF No. 3, at Page ID # 10-11.) Plaintiff has filed a response to these recommendations, which the Court will construe as objections. Briefing on the objections has closed, and the Order and Report and Recommendation and objections are ripe for disposition.

When a party objects within the allotted time to a report and recommendation, the Court "shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1); *see also* Fed. R. Civ. P. 72(b). Upon review, the Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1).

In his complaint, Plaintiff declined to assert any factual allegations and instead stated in a “Statement of Claim” that “[w]e would like to talk to a lawyer first, before I give any statements.” (ECF No. 1-1, at Page ID # 6.) Plaintiff then requests that relief in the form of “at least \$2,080” and the purging of one or more suspensions from Plaintiff’s work record. (*Id.* at Page ID # 7.) Without question, this fails to state a claim upon which this Court can grant relief; the complaint fails to provide any basis for construing a plausible claim, leaving this Court with no idea what Plaintiff is asserting or why.

The one-page response to the Magistrate Judge’s recommendations clarifies the underlying facts a bit, but fails to present any argument as to how or why the Magistrate Judge’s recommendations were in error. Rather, Plaintiff is simply complaining about two suspensions that he apparently received in the course of his employment. Thus, to the extent that this response can be construed as presenting objections, Plaintiff has run afoul of the rule that “ ‘[t]he filing of vague, general, or conclusory objections does not meet the requirement of specific objections and is tantamount to a complete failure to object.’ ” *Johnson v. City of Memphis*, 444 F. App’x 856, 859 (6th Cir. 2011) (quoting *Cole v. Yukins*, 7 F. App’x 354, 356 (6th Cir. 2001)).

This Court agrees with the reasoning of the Magistrate Judge. Plaintiff has failed to present this Court with any information that would enable the Court to conclude that Plaintiff is unable to pay the costs of filing this action. Plaintiff has also failed to plead any plausible claim upon which this Court can grant relief. The Court therefore **OVERRULES** Plaintiff’s objections (ECF No. 4), **ADOPTS** and **AFFIRMS** the Order and Report and Recommendation (ECF No. 3), **DENIES** Plaintiff’s motion for leave to proceed *in forma pauperis* (ECF No. 1), and **DISMISSES** the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). The Clerk shall enter

judgment accordingly and terminate this case on the docket records of the United States District Court for the Southern District of Ohio, Eastern Division.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE